

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

MAX & ERMA'S RESTAURANT, INC.,

Debtor.

Chapter 11

Case No. 09-27807-MBM

**ENTRY OF APPEARANCE AND REQUEST
FOR NOTICES OF NATIONAL CITY BANK, FOR ITSELF
AND AS AGENT, PURSUANT TO FED. R. BANKR. P. 2002 AND 9010**

Pursuant to Federal Rules of Bankruptcy Procedure 2002(g) and (i) and 9010(b), the undersigned counsel enters an appearance for National City Bank ("National City"), for itself and as agent, and requests that National City be added to the official mailing matrix and service lists in this case and that copies of all pleadings, motions, notices and other papers, filed or served, in this case or any proceeding therein, be served upon the undersigned at the following address:

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PLEASE TAKE FURTHER NOTICE, that the foregoing request includes, without limitation, all orders, notices, applications, motions, petitions, pleadings, requests, complaints, demands, replies, answers, schedules of assets and liabilities, statements of financial affairs, operating reports, plans of reorganization, and disclosure statements, including all amendments to any of the foregoing, whether formal or informal, and whether transmitted or conveyed by mail, hand delivery, telephone, telegraph, telex, facsimile, electronic mail, or otherwise.

PLEASE TAKE FURTHER NOTICE that neither this Entry of Appearance and Request for Notices nor any subsequent appearance, pleading, claim, or suit is intended or shall be deemed to waive National City's (i) right to have final orders in non-core matters entered only after *de novo* review by a higher court; (ii) right to trial by jury in any proceeding so triable in any case, controversy or adversary proceeding; (iii) right to have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal; or (iv) other rights, claims, actions, defenses, setoffs, or recoupments to

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which National City is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: October 28, 2009
Pittsburgh, Pennsylvania

By: /s/ Robert P. Simons
Robert P. Simons (PA ID No. 48892)
Joshua C. Lewis (PA ID No. 92945)
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**Counsel to National City Bank, For Itself
And As Agent**